

ECF CASE
JUDGE HELLERSTEIN

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

J & J SPORTS PRODUCTIONS, INC., as
Broadcast Licensee of the **May 5, 2007**
DeLaHoya/Mayweather Program,
Plaintiff,

-against-

**ATTORNEY'S AFFIDAVIT OF COSTS
AND FEES**

Civil Action No. 07-CV-6527-AKH-FM
HON. ALVIN K. HELLERSTEIN

761 BLUE LAGOON CORP. d/b/a BLUE
LAGOON a/k/a BLUE 761 LAGOON a/k/a BLUE
LAGOON
Defendants.

STATE OF NEW YORK :
: SS.:
COUNTY OF ULSTER :

JULIE COHEN LONSTEIN, being duly sworn, deposes and says:

1. That I am the attorney for Plaintiff, J & J Sports Productions, Inc., in the above referenced matter and I am admitted to practice in this Court. I am fully familiar with all the facts, circumstances and proceedings heretofore had herein.

2. I make this affidavit in support of Plaintiff's motion for default judgment and damages, costs and fees.

3. Plaintiff's litigation expenses as associated with the formation, pleading and filing of the above captioned matter are as outlined below:

- a. Filing Fees - \$350.00
- b. Service of Process - \$100.00
Attached hereto as Exhibit "A," please find invoice from Signal Auditing, Inc., reflecting the cost of service upon the Defendants.
- c. Attorneys Fees - \$861.50
See below

Total Litigation Expenses(\$1,311.50

4. Attorney fees at \$200.00 per hour for attorney time spent and \$75.00 for paralegal time spent are as follows:

<u>Date</u>	<u>Action</u>		<u>(in hours)</u>	<u>Fee</u>
06/07/2007	Factual research and development	.50	\$100.00	Atty
06/07/2007	Claim Letter issued	.25	\$18.75	Para
06/12/2007	TC from Defendant	.12	\$25.00	Atty
06/12/2007	Demand Letter Issued	.25	\$18.75	Para
07/16/2007	Complaint drafted, Corporate disclosure	.50	\$300.00	Atty
07/17/2007	Complaint sent to Court for Filing	.25	\$18.75	Para
07/30/2007	Arranged Service	.25	\$18.75	Para
08/13/2007	Review Service	.13	\$25.00	Atty
08/13/2007	Filed and mailed Proofs of Service	.25	\$18.75	Para
08/24/2007	Review Order	.12	\$25.00	Atty
09/21/2007	Ltr to Defendants	.25	\$18.75	Para
09/27/2007	Motion to Continue	.25	\$50.00	Atty
09/28/2007	Filed and mailed Motion	.25	\$18.75	Para
10/03/2007	Review Order	.13	\$25.00	Atty
10/11/2007	Sent Order to Deft CMRRR	.25	\$18.75	Para
10/26/2007	Drafting Request for Default	.50	\$100.00	Atty
11/05/2007	Filed and mailed Request For Default	.50	\$37.50	Para
11/08/2007	Review Clerk's Certificate	.13	\$25.00	Atty
11/08/2007	Drafted Motion for Default	1.0	\$200.00	Atty
		Hours	Fee	
		3.37 Atty	\$674.00	
		2.50 Para	\$187.50	

Total

\$861.50

5. We respectfully request that judgment be entered in favor of Plaintiff and against the Defendants in the manner stated herein.

WHEREFORE, your deponent respectfully requests that this Court in its discretion grant judgment by default under 605(a) on COUNT I of the Plaintiff's complaint against the Defendants jointly and severally as follows:

Against, 761 BLUE LAGOON CORP. d/b/a BLUE LAGOON a/k/a BLUE 761 LAGOON a/k/a BLUE LAGOON,

- 1) under 605(e)(3)(C)(i)(II) a sum *in the discretion of the Court*, of up to TEN THOUSAND DOLLARS (\$10,000.00)
- 2) and under 605(e)(3)(C)(ii) a sum *in the discretion of the Court*, of up to ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) for enhanced damages for Defendant's willful violation of 605(a)
- 3) and under 605(e)(3)(B)(iii) *in the discretion of the Court*, costs and Attorney fees of ONE THOUSAND THREE HUNDRED ELEVEN DOLLARS AND FIFTY CENTS (\$1311.50)

Dated: November 15, 2007
Ellenville, NY 12428

/s/ Julie Cohen Lonstein
Julie Cohen Lonstein, Esq.
Bar Roll No. JL8512
Lonstein Law Office, P.C.
Attorneys for Plaintiff
1 Terrace Hill; PO Box 351
Ellenville, NY 12428
Telephone: 845-647-8500
Facsimile: 845-647-6277

Sworn to before me this 15th
day of November 2007

/s/ April Draganchuk
April Draganchuk
Notary Public State of New York
Registration No. 4945872
Residing in Ulster County
My Commission Expires Jan. 27, 2011

Exhibit A

Invoice

1 Terrace Hill
P.O. Box 615
Ellenville, NY 12428

Date	Invoice #
8/13/2007	1068

Bill To
Lonstein Law Office, PC Wayne D Lonstein 1 Terrace Hill P.O. Box 351 Ellenville, NY 12428

Description	Amount
CORPORATE SERVICE J&J v. 761 BLUE LAGOON CORP YOUR FILE #07-4-S10V CV#07-6527	100.00
Total	
\$100.00	